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Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOSEPH and RENNY FANGSRUD VON
ESCH,

Plaintiffs,

vs.

LEGACY SALMON CREEK HOSPITAL, et
al.,

Defendants.

Case No.: 3:16-CV-05842-RBL

ASSET SYSTEMS, INC.'S [PROPOSED]
VOIR DIRE QUESTIONS

1. This trial is expected to last for four days. Is there anything about the length or scheduling of the trial that would interfere with your ability to serve?

2. Do you have any medical, personal or financial problem that would prevent you from serving on this jury?

3. Do any of you have a special need or require a reasonable accommodation to help you in listening, paying attention, reading printed materials, deliberating, or otherwise participating as a fair juror? The court will provide reasonable accommodations to your special

ASSET SYSTEMS, INC.'S [PROPOSED] VOIR DIRE
QUESTIONS -- Page 1
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1 needs if you let me know about them. My only purpose in asking you these circumstances
2 relates to your ability to serve as a juror. If you have any such request, please raise your hand
3 and I will speak to you at sidebar.

4 4. Do any of you know either/any of the lawyers? Has either/any of them or anyone
5 in their office ever represented you or brought any action against you? Do you know

6 a. Mr. Joseph Fangsrud von Esch?

7 b. Mrs. Renny Fangsrud von Esch?

8 5. Do any of you know either/any of the potential witnesses? Do you know

9 a. Ms. Mary Emerton?

10 b. Ms. Teresa Handy?

11 c. Ms. Amanda Gordon?

12 d. Mr. Daniel Andrew?

13 e. Mr. Dale Andrew?

14 f. Ms. Kristina Thompson?

15 g. Ms. Katie Morey?

16 6. I have already briefly described the case. Do you know anything about this case
17 from any source other than what I've just told you?

18 7. Have you or any family member or close personal friend ever filed a claim or a
19 lawsuit of any kind?

20 8. Have you or a family member or close personal friend either currently or in the
21 past been involved as a party ... as either a plaintiff or a defendant ... in a lawsuit involving
22 damages for personal injury, or a violation of a debt collection statute?

23 9. The plaintiff is a person who has initiated a lawsuit. Do you have a bias for or
24 against the plaintiff simply because she has brought a lawsuit?

1 10. The defendant is a corporation against whom a lawsuit has been brought. Do you
2 have a bias for or against the defendant simply because a lawsuit has been brought against it?

3 11. The defendant is a corporation. Under the law, a corporation is entitled to be
4 treated the same as anyone else and is entitled to be treated the same as a private individual.
5 Would any of you have any difficulty in accepting that principle?

6 12. The defendant is a collection agency against whom a lawsuit has been brought.
7 Do you have a bias for or against the defendant simply because a lawsuit has been brought
8 against a collection agency?

9 13. Is there anyone who has philosophical, religious or other beliefs that would
10 prevent you from sitting and passing judgment on another person?

11 14. If the law and evidence warranted, would you be able to render a verdict in favor
12 of the plaintiff or defendant regardless of any sympathy you may have for either party?

13 15. Based on what I have told you, is there anything about this case or the nature of
14 the claim itself that would interfere with your ability to be fair and impartial and to apply the law
15 as instructed by the court?

16 16. Can you accept the law as explained by the court and apply it to the facts
17 regardless of your personal beliefs about what the law is or should be?

18 17. Have you ever served on a trial jury before today, here in Washington, or in any
19 state court or federal court?

20 18. Would your verdict in this case be influenced in any way by any factors other
21 than the evidence in the courtroom such as friendships or family relationships or the type of work
22 you do?

23 19. Have you ever been a witness in a civil matter, regardless of whether it went to
24 trial?

25 20. Have you ever testified in any court proceeding?

Biographical Question

21. Full name and age.

22. City of residence and area in that City.

23. Marital Status

24. You have answered a series of questions about civil trials and civil cases. Now we would like to learn a little bit about each of you. Please tell us the type of work you do; whether you have ever done any type of work which is substantially different from what you do now; whether you've served in the military; what is your educational history; who else lives in your household and the type of work they do, if any; whether you have any children living elsewhere and the type of work they do; which television shows you watch; any sources from which you learn the news, i.e. the newspapers you read or radio or TV news stations you listen to; if you have a bumper sticker that does not pertain to a political candidate, what does it say? If you have any legal training or experience? What you do in your spare time and anything else you feel is important.

Omnibus Additional Questions

25. Is there anything, whether or not covered in the previous questions, which would affect your ability to be a fair and impartial juror or in any way be a problem for you in serving on this jury?

26. Is there anything else that you feel is important for the parties in this case to know about you?

Legacy Questions

27. Have you or any family member or close personal friend had any interaction with Legacy Health System or Legacy Salmon Creek Hospital?

28. What do you believe about Legacy Health System or Legacy Salmon Creek Hospital generally?

1 29. Have you or any family member or close personal friend ever sued or been
2 involved in any way with a lawsuit against Legacy Health System or Legacy Salmon Creek
3 Hospital?

4 30. Have you or any family member or close personal friend ever been a debt
5 collector or worked for Legacy Health System or Legacy Salmon Creek Hospital?

6 31. Have you or any family member or close personal friend ever disputed a debt with
7 Legacy Health System or Legacy Salmon Creek Hospital?

8 Fair Debt Questions

9 32. Have you or any family member or close personal friend had any interaction with
10 any collection agency?

11 33. What do you believe about collection agencies generally?

12 34. Have you or any family member or close personal friend ever sued or been
13 involved in any way with a lawsuit against a collection agency?

14 35. Have you or any family member or close personal friend ever been a debt
15 collector or worked for a collection agency?

16 36. Have you or any family member or close personal friend ever disputed a debt with
17 a collection agency?

18 37. Have you or any family member or close personal friend ever defaulted on a debt
19 or failed to pay your debts on time?

20 38. Have you or any family member or close personal friend ever filed bankruptcy?

21 39. The Fair Debt Collection Practices Act requires that plaintiff prove a material
22 violation by a preponderance of the evidence before she is entitled to recover money damages
23 from that defendant. Do you have any difficulty accepting that concept?

24 40. Even if a debt collector violates the Fair Debt Collection Practices Act as to a
25 consumer, a collection agency is not liable to that consumer if a collection agency proves by a

1 preponderance of the evidence that the violation was not intentional and resulted from a bona
2 fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such
3 error. Do you have any difficulty accepting that concept?

4 41. This case involves a mistake made by Legacy. Legacy is not a party to this
5 lawsuit. Asset is not responsible for the conduct or mistake made by Legacy. Do you have any
6 difficulty accepting the concept that Asset cannot be held liable for the conduct or mistake made
7 by Legacy?

8 Dated: August 26, 2019.

9 s/ Jeffrey I. Hasson
10 Jeffrey I. Hasson, WSBA#23741
11 Hasson Law, LLC
12 Attorney for Asset
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Certificate of Service

I hereby certify that on August 26, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Robert Mitchell, SaraEllen Hutchison, Aaron Paul Riensche (attorney for dismissed party), William F. Malaier, Jr. (attorney for dismissed party) and I hereby certify on that I mailed by United States Postal Service the document to the following:

s/ Jeffrey I. Hasson
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